

5.11 LAND USE AND PLANNING

5.11.1 Existing Conditions

5.11.1.1 On-site Land Uses

The majority of the 50-acre Ponto Area proposed for development within the Ponto Beachfront Village Plan has been previously disturbed by former agricultural activities and various improvements and developments, including construction of the San Diego Northern Railroad, commercial structures, residential structures, drainage channels, and roadways. The majority of the development area currently stands largely undeveloped, with the exception of a number of single-family residences, some of which have on-site businesses, including a wood and sheet metal shop, an auto service/storage yard, wood chipping, a salvage yard, heating and air conditioning manufacturer, kennel, a storage facility, and an upholstery and antique store.

The project site is located on a generally westerly sloping series of well-defined coastal terraces above the Pacific Ocean. Topography within the Ponto Area is gently sloping, with elevations generally ranging from approximately 40 feet amsl in the southern portion of the property to approximately 70 feet amsl just north of Avenida Encinas.

Undeveloped areas of the project site generally support native and non-native grasses and disturbed areas. Developed areas of the site are typically landscaped with ornamental cover or plantings, with other areas of exposed dirt or gravel cover.

On-site roadways include Avenida Encinas (improved), Ponto Road (improved), and an unnamed roadway (unimproved) which runs through the central portion of the existing on-site neighborhood; refer to Figure 3-4. Utilities (overhead power lines with transformers) are also within the boundaries of the subject site. An approximately 570-foot long drainage, averaging three feet wide, originates east of Carlsbad Boulevard at Ponto Drive. The drainage runs south through an empty lot to a concrete ditch, which connects to a drain that then connects to the Pacific Ocean.

5.11.1.2 Off-site Land Uses

Surrounding land uses are the Hanover Beach Colony residential neighborhood to the north; the SDNR tracks and right-of-way, the San Pacifico neighborhood to the east; and Batiquitos Lagoon to the south. Directly west of the site on the oceanfront bluffs adjacent to Carlsbad Boulevard are the campsites of California's South Carlsbad State Beach, with the beach and the Pacific Ocean below; refer to Figure 5.11-1.

5.11.1.3 Applicable Plans, Policies and Regulations

City of Carlsbad General Plan

Based on the current General Plan, the proposed project is divided into six groups of land uses:

- RMH (Residential Medium High – 8 to 15 dwelling units per acre);
- RMH/TR (Residential Medium High and/or Travel/Recreation Commercial);

- UA (Unplanned Area);
- OS (Open Space and Community Parks);
- TR/C (Travel/Recreation Commercial/Community Commercial); and,
- TR (Travel/Recreation Commercial).

The existing General Plan designations would allow for a mixture of residential, commercial and recreational uses on the project site; refer to Figure 5.11-2. As the project area is positioned adjacent to the State Beach, the property would lend itself to such uses that would provide for residential housing demand, while enhancing the potential recreational and tourism opportunities provided by the coastal location.

Implementation of the Vision Plan would change the underlying land use designations to a “Special Planning Considerations Area” to be developed under the guidance of the Ponto Beachfront Village Vision Plan. Future development proposals within the Ponto Area may be required to propose General Plan and Local Coastal Program land use reclassifications, as well as Local Coastal Program zone changes that would be evaluated as part of the discretionary approval process.

City of Carlsbad Zoning Ordinance

At present, there are three City zoning designations for the various parcels in the Ponto Area; refer to Figure 5.11-3. These designations include: PC – Planned Community; CT-Q – Commercial Tourist zone with a Qualified Development Overlay; and, RD-M-Q – Residential Density – Multiple zone with a Qualified Development Overlay. Several parcels have a dual designation, CT-Q/RD-M-Q, indicating that with further planning, one or both uses may be appropriate. No changes to the existing zoning are proposed with the Vision Plan. Individual ownerships within the 50-acre development area would be allowed to develop consistent with the existing underlying zoning or with approval of a rezone, with or without approval of the Ponto Vision Plan.

City of Carlsbad Growth Management Program – Zones 9 and 22 Local Facilities Management Plans (LFMP)

Concerns over rapid growth within the City in the mid-1980’s resulted in the application of several means to control future development through limitations on the number of building permits issued and the provision of future public facilities and services. The City adopted an ordinance (9808) on July 1, 1986, that created the framework for a Growth Management Plan (GMP) which included preparation of a Citywide facilities management plan, performance standards, and subarea plans.

A "Citywide Facilities and Improvement Plan" has been prepared to address capital improvement planning within Carlsbad. The Plan calls for the preparation of subarea facility plans and establishes principles for capital financing plans. All development proposed within the City is reviewed for compliance with the Citywide Plan and the appropriate Local Facilities Management Plan (LFMP).

As part of the City’s GMP, and consistent with Chapter 21.90 of the City Zoning Ordinance, the City is divided into 25 zones to guide the provision of public facilities and to ensure that services and facilities are adequately provided for existing and future development.

Preparation of a LFMP is required for each zone to implement the GMP by phasing development and the provision of public facilities, consistent with the GMP performance standards. The 50-acre Ponto Area is located within the LFMPs for Zones 9 and 22; refer to Figure 5.12-1. By establishing performance standards for public facilities and establishing limits on development, future demand for facilities and services can be estimated, and planning and construction of such facilities can be provided. A facility financing plan has also been prepared for each LFMP zone to identify funding sources for the facilities and services to be provided. As applicable, individual applicants are responsible for the payment of any fees for the provision of new facilities with project implementation.

City Council Policy 43

As part of the GMP, the City of Carlsbad has adopted City Council Policy 43 to guide the determination and allocation of Proposition E “Excess Dwelling Units.” This policy guides the “excess dwelling unit” program, identifying the number of dwelling units available for allocation within a LFMP zone, due to proposed residential development occurring at a lower density than that anticipated for or allowed by the density control points given in the GMP, approved in 1986 as Proposition E.

As allowed by Proposition E, “excess” residential dwelling units may be allocated to developments within each of the City quadrants provided they do not exceed the maximum number of dwelling units projected for the quadrant. One or more of the following criteria must be met for proposed development to be eligible for the allocation of “excess” dwelling units.

- The growth management control point (GMCP) density for the property results in a unit yield that includes a fractional amount of 0.5 or greater. A fraction of a unit may be granted to allow for the next whole unit provided that the maximum density of the General Plan land use designation is not exceeded;
- Housing units are being made affordable to lower- or moderate-income households;
- Housing is located within the Village Redevelopment Area or in the South Carlsbad Coastal Redevelopment Area;
- That the project is a transit-oriented “smart growth” development project where increased residential density is being placed in close proximity to major transit facilities, employment opportunities and commercial support services;
- Projects approved for a land use change from non-residential to residential use or projects containing a mixture of residential and non-residential uses; or,
- The property has a General Plan designation of Residential Low Density (RL) or Residential Lower-Medium Density (RLM) and the base zone of the property would permit a higher yield of units than would be allowed by the RL or RLM designations, provided that the proposed density does not exceed the maximum density of the RL or RLM density range by more than an additional 25 percent.

Scenic Corridor Guidelines

The Ponto Area is located along Carlsbad Boulevard, which is identified as a “Community Theme Corridor” within the General Plan Circulation Element. Portions of Carlsbad

Boulevard provide significant views of the Batiquitos Lagoon, the Pacific Ocean, and South Carlsbad State Beach along the length of the roadway. According to the General Plan Circulation Element, Community Theme Corridors are considered to “connect Carlsbad with adjacent communities and present the City of Carlsbad to persons entering and passing through the community.” The designation is intended to preserve and enhance the visual, environmental and historical characteristics of the City and the route through planning and design efforts. Other Community Theme Corridors include El Camino Real, Palomar Airport Road, La Costa Avenue and Melrose Drive.

As Carlsbad Boulevard passes northbound over the Batiquitos Lagoon from the City of Encinitas, it provides a visually significant entry point into the City of Carlsbad along the scenic corridor. The Scenic Corridor Guidelines propose Major Entry Monumentation for this location to “provide identity, a feeling of welcome, and sense of arrival to the City.” Major Entry Monumentation, combined with landscaping and/or signage, is suggested for the highly visible location; refer to Figure 5.7-1.

Specific goals aimed at addressing the visual quality of the Carlsbad Boulevard Corridor include the following:

- Enhance the unique character of the street by designating a “Central European or Spanish” theme for the downtown area and a natural beach-oriented theme for the remainder of the route;
- Enhance the visual quality of the street by encouraging appropriate theme-oriented landscaping and street furniture within the corridor;
- Provide landscaping material, theme trees and theme tree spacing along the corridor which are best suited to avoid blocking views from the roadway, particularly to the ocean;
- Preserve the natural quality of the lagoon areas by providing little, if any, additional landscaping in those areas of the corridor adjacent to a lagoon; and,
- Encourage special landscape setbacks to create an open feeling along the developed portions of Carlsbad Boulevard.

In addition, the SDNR, east of the Ponto Area, is identified as a scenic railroad corridor with the Scenic Corridor Guidelines. This railway is identified as a “special condition” corridor which provides views to rail passengers traveling through the City. The Guidelines suggest improvements along the railroad right-of-way to upgrade the image of Carlsbad and to inform passengers that they have arrived in the City.

City of Carlsbad Landscape Manual

The City’s Landscape Manual provides guidelines for landscaping, plantings, irrigation requirements, water conservation, streetscape, slope revegetation and erosion control, and wildfire protection, among other issues. In an effort to reduce water demands resulting from irrigation and to maintain the visual environment, all proposed projects within the City are subject to the requirements of the Landscape Manual.

Comprehensive Land Use Plan (CLUP) for McClellan-Palomar Airport

The McClellan-Palomar Airport Plan Comprehensive Land Use Plan (CLUP), prepared by the San Diego Association of Governments (SANDAG), represents a “long range master plan...that reflects the anticipated growth of the airport over the next 20 years” and provides for the safety and well-being of the general public. The Plan identifies several areas of constraint that affect potential development within the City. These include noise contours, a Flight Activity Zone, and compatibility with surrounding land uses.

The CLUP identifies “areas likely to be impacted by the noise and flight activity created by aircraft operations at the airport.” The project study area is not located within the Airport Influence Area (AIA), which would require development review by the Airport Land Use Commission (ALUC), although overflight does occur.

The proposed project area is located approximately 2.5 miles southwest of the McClellan-Palomar Airport. The northern portion of the project site lies within the Noise Impact Notification Area (NINA), which includes properties within a three-mile radius of the airport, where 90 percent of noise complaints regarding the airport are filed. Noise from the operation of the airport may represent a potential nuisance to residents within this radius. As a result, residential development proposed within the NINA is required to file a notice with the City indicating that the property is subject to noise from overflight, sight, and noise from operation of aircraft flying in and out of the airport.

Open Space Conservation and Resource Management Plan

The City adopted the Open Space and Conservation Resource Management Plan in 1992 to implement the requirements of the General Plan Open Space and Conservation Element. The Plan is intended to provide protection of open space resources and landscape character within the City, while addressing potential impacts of anticipated growth. The Plan identifies Conceptual Open Space along Carlsbad Boulevard and Constrained Open Space in the southern portion of the Ponto Area, in the vicinity of Batiquitos Lagoon.

The Resource Management Plan addresses the long-term management and identifies goals for enhancement of open space within each of the LFMP zones. The following goals of the Resource Management Plan apply to LFMP Zones 9 and 22:

Zone 9

- Achievement of a north-south open space greenway corridor and trail connection. A link may be provided along the proposed regional trail within the railroad right-of-way, or by locating the Carlsbad pedestrian trail and paired regional bicycle trail along the east side of Carlsbad Boulevard;
- Provision of buffers between development and the coast and Batiquitos Lagoon should be pursued; and,
- Enhance the entry gateway into the City from the south along Carlsbad Boulevard.

Zone 22

- Consider the potential for a north-south greenway between Ponto Drive and Carlsbad Boulevard, containing a trail connection along or parallel to the SDNR right-of-way,

ultimately providing a potential regional connection from Oceanside to San Diego; and,

- Consider a second greenway and trail linkage along Poinsettia Drive to allow for trail access from the beach and the greenway (discussed above) to the trail that would connect the Alta Mira Park site and Batiquitos Lagoon.

City of Carlsbad Habitat Management Plan (HMP)

The Ponto Area lies within the North County Multiple Habitat Conservation Program (MHCP) Subregional Plan area. The MHCP Subregional Plan was adopted and certified by the SANDAG Board of Directors on March 28, 2003. Each of the seven jurisdictions within the MHCP area (which includes the City of Carlsbad) is required to implement their respective portion of the MHCP via citywide subarea plans. On November 15, 2004, the City of Carlsbad's Habitat Management Plan (HMP) for Natural Communities in the City of Carlsbad (City HMP; 2004a) was approved, and state and federal permits were issued. The Ponto Area lies within the City's HMP.

A small portion of the Ponto Area is located within Focused Planning Area (FPA) Core 8, which includes Batiquitos Lagoon. According to the City's HMP, Batiquitos Lagoon supports sensitive plant and animal species and is a critical foraging area for American peregrine falcon and California brown pelican. FPA Core 8 provides linkage to other Core FPAs both within and outside the City. Batiquitos Lagoon is included in an existing Hardline Conservation Area.

The City's HMP includes unique conservation goals and standards that apply to specific properties within the City, known as Standards Areas. The goals and standards are arranged according to the LFMP zone in which they occur. No Standards Areas exist within the City HMP for LFMZ 9 or 22.

In addition, the City's HMP establishes zone-level recommendations for each of the LFMP zones. The zone-level recommendations for LFMZ 9 include: (1) monitor breeding populations of terns, plovers, and sparrows, and continue predator control where necessary; and (2) use fencing and signs, as necessary, to minimize human intrusion in or near nesting or roosting areas for HMP-covered species such as terns, pelicans, and rails. The zone-level recommendations for LFMZ 22 include: (1) manage vernal pool habitat to minimize adverse edge effects and maintain/enhance water quality of the pools; (2) stabilize sensitive species populations by removing impacts or potential impacts, including trampling, vehicular traffic, illegal dumping, collecting, and invasion of non-native plants; (3) use fencing and signs to restrict human intrusion and educate the public about vernal pool resources; (4) implement runoff or erosion control measures on adjacent properties, as necessary, to maintain appropriate amounts of water runoff into pool watersheds, while protecting water quality against potential pollutants; and, (5) monitor the status of preserved populations to ensure they remain viable. According to the City's HMP, projects that conserve at least 67 percent of habitat on-site are not subject to off-site mitigation.

According to Chapter 21.203.040(B)(3), Coastal Resources Protection Overlay Zone, of the Carlsbad Municipal Code, the following policy shall apply to (1) areas west of existing Paseo del Norte, (2) west of Interstate 5, and (3) along El Camino Real immediately upstream of the existing storm drains.

All development must include mitigation measures for the control of urban runoff flow rates and velocities, urban pollutants, erosion and sedimentation in accordance with the requirements of the City's Grading Ordinance, Storm Water Ordinance, Standard Urban Storm Water Mitigation Plan, Jurisdictional Urban Runoff Management Plan master drainage plan and the San Diego County Hydrology Manual and any amendments to them. Such mitigation shall become an element of the project, and shall be installed prior to the initial plan and any amendments to them for the area between the project site and the lagoon (including the debris basin), as well as revegetation of graded areas immediately after grading; and a mechanism for permanent maintenance if the City declines to accept the responsibility. Construction of drainage improvements may be through formation of an assessment district, or through any similar arrangement that allocates costs among the various landowners in an equitable manner.

California Coastal Act (CCA)

The subject site is located within the coastal zone and therefore is subject to the goals and policies set forth by the California Coastal Act (CCA). The CCA (California Public Resources Code sections 30000 et seq) was adopted in 1976 to provide long-term protection of the California coastline. The CCA defines the "coastal zone" as the area that extends three miles seaward and generally about 1,000 yards inland.¹ To manage the conservation and development of coastal resources, the CCA is responsible for the following:

- Establish specific uses, including restoration, for which diking, filling, or dredging of wetlands may be permitted within the coastal zone;
- Provide additional review and approvals for proposed actions within designated sensitive coastal areas; and,
- Direct each city or county within a coastal zone to prepare a Local Coastal Program (LCP) for Coastal Commission certification.

Almost all proposed development within the coastal zone requires approval of a Coastal Development Permit from either the Coastal Commission or from the local jurisdiction through a local government's certified Local Coastal Program. The Act requires compliance with the Local Coastal Program, as described below.

Local Coastal Program (LCP)

The City of Carlsbad's LCP (1996) is comprised of six segments and provides policies and development guidelines for compliance with the California Coastal Act. The Ponto Area includes acreage located within the Mello II Segment Land Use Plan of the LCP. Local Coastal Program Segments are required to maintain consistency with the goals and policies of the Carlsbad General Plan. Individual landowners within the 50-acre Ponto Area would be required to obtain approval of a Coastal Development Permit, prior to future development.

San Diego Association of Governments (SANDAG) and Smart growth Communities

SANDAG implements the Regional Comprehensive Plan (RCP), which offers a long-term planning framework for the San Diego region. It provides guidance for local and regional

¹ California Wetlands Information System. http://ceres.ca.gov/wetlands/permitting/cca_summary.html

decisions regarding a sustainable approach to future development. The RCP gives an incentive-based approach to encourage growth in existing and future urban areas, as well as smart growth communities.

According to SANDAG, a smart growth community is envisioned as a compact, efficient, and environmentally sensitive pattern of development that provides people with additional transportation, housing, and employment choices by focusing future growth away from rural areas and closer to existing and planned job centers. Principles of smart growth include reducing sprawl, facilitating public transportation and pedestrian activities, and providing a balance between jobs and housing.

South Carlsbad Coastal Redevelopment Area (SCCRA)

A portion of the Ponto Area is located within the South Carlsbad Coastal Redevelopment Area (SCCRA); refer to Figure 3-3. The intent of the Redevelopment Plan for the area is to develop properties that are improperly utilized to eliminate blight, develop recreational opportunities, provide affordable housing, and enhance economic opportunities (February 2000). This portion of the site is therefore subject to the Redevelopment Permit process, which is administered by the City of Carlsbad's Housing and Redevelopment Department. Future development proposals would be required to demonstrate consistency with the plans established for the portion of the property within the redevelopment area.

Twelve goals are given within the South Carlsbad Coastal Redevelopment Plan; however, the overall intent of the Plan can be summarized as follows:

- Strengthen and stimulate the economic base;
- Enhance commercial and recreation functions;
- Increase amenities to benefit the public;
- Increase and improve the affordable housing supply; and,
- Assure quality design in the area's development.

San Diego Coastal State Park System General Plan – South Carlsbad State Beach

The San Diego Coastal State Park System General Plan (prepared July 1984) provides goals and policies for enhancement of the South Carlsbad State Beach as part of the State parks program. Potential improvements are considered within the Plan to increase access to Carlsbad State Beach and to provide other complementary land uses that enhance the scenic and recreational resources offered by the coastal location. The project development area represents an opportunity to establish such uses that would complement the existing campground to enhance recreational opportunities for visitors of the Park. The State Parks General Plan assumes that (1) the area around the South Carlsbad State Beach will become increasingly urban, and (2) Carlsbad Boulevard will act as a present and future buffer against urbanized land uses. The Plan states that, "The purpose of San Diego coast state beaches is to make available to the people, for their benefit and enjoyment forever, the scenic and recreational resources inherent to the coastal beaches and adjacent uplands of San Diego County."

Other Specific Plans / Master Plans**Poinsettia Properties Specific Plan (SP 210)**

The Poinsettia Properties Specific Plan directs development of a 92-acre transit-oriented residential community located primarily north of the Ponto Area; however, a 1.5-acre portion of the Ponto Area overlaps with the Specific Plan area, referred to as Planning Area 1 in the Specific Plan. It is located in the northwest corner of the Ponto Area, adjacent to Carlsbad Boulevard and Ponto Road. Per the Specific Plan, the land use for the 1.5-acre area is intended for commercial uses that serve the traveling public and beach visitors.

Poinsettia Shores Master Plan (MP 175(c))

The Poinsettia Shores Master Plan area (PSMP), amended May 12, 1994, includes approximately 162.8 acres, of which approximately 23.5 acres are located within the Ponto Area. The Poinsettia Shores Master Plan Area is broken down into 17 Planning Areas, three of which are located within the project area boundaries -- Areas F, G, and H. These areas feature travel service/commercial and open space uses, and a non-residential reserve.

5.11.2 Thresholds for Determining Significance

The significance thresholds used for this section are based on Appendix G of the CEQA Guidelines. For the purpose of this EIR, a significant land use impact would occur if the proposed project would:

- Create incompatibilities of land use on-site or with adjacent uses;
- Physically divide an established community;
- Conflict with any applicable land use plan, policy or regulation, including the General Plan, Zoning Ordinance, Zone 9 and Zone 22 Local Facilities Management Plans, Inclusionary Housing Ordinance, Growth Management Ordinance, Landscape Manual, Open Space Conservation and Resource Management Plan, and the Comprehensive Land Use Plan (CLUP) for McClellan Palomar Airport; or,
- Conflict with the City of Carlsbad's Habitat Management Plan.

5.11.3 Environmental Impact

The proposed amendments to the General Plan and Local Coastal Program would designate the project area as an area of "Special Planning Considerations" to be developed under the guidance of the Ponto Area. The Vision Plan proposes the development of local and tourist-serving commercial, mixed-use, residential and recreational uses that are compatible with existing surrounding development to the east, open space/habitat connections in the south, and the beach to the west. The Ponto Beachfront Village Vision Plan provides a guide for development of the area to ensure that future land uses are compatible and consistent with the intended vision for the site.

The Vision Plan identifies land uses to be permitted within each of the land use character areas to ensure that future uses proposed would be consistent with development envisioned by the City. Future individual development projects would require the appropriate discretionary permits as applicable.

5.11.3.1 *Compatibility with On-site Land Uses*

The Ponto Area is largely undeveloped, with the exception of the cluster of existing residential and commercial/light industrial uses in the northern portion of the site. Future development on-site would be compatible with on-site land uses in that the Vision Plan would allow for these existing uses to continue in the future, following adoption of the Plan. Future development of these properties would not be phased and would occur as landowners desired. Therefore, the proposed uses are considered to be compatible with existing on-site uses and would enhance, not degrade, existing development property.

5.11.3.2 *Compatibility with Off-site Land Uses*

Implementation of the Ponto Vision Plan would not have a harmful effect on off-site land uses. The 50-acre development area is within the South Carlsbad Coastal Redevelopment Area and is intended for the uses proposed. In addition, the uses proposed under the Vision Plan would be allowed under the existing zoning, and therefore, do not represent a conflict with the type of development anticipated for the area.

The uses proposed by the Vision Plan would generally be compatible with existing uses surrounding the project site. Single-family residential neighborhoods are located to the north and east of the project area. Development consistent with the Vision Plan would provide a mix of land uses that would provide a transition from the existing single-family development to multi-family mixed use, commercial, and recreational uses.

The Vision Plan includes design guidelines to ensure that development of the site would not conflict with surrounding land uses. The Plan's proposed design features such as landscape buffering and screening, underground parking, and building orientation to allow for continued views would be incorporated into future development projects to maintain the character of the area and protect the existing visual environment; see also Section 5.7 of this EIR for additional information pertaining to visual resources. In addition, development on the site would be distanced from adjacent properties by Ponto Road to the north, which would be landscaped (as discussed in the Ponto Vision Plan) to reduce views into the Ponto Area. Additionally, the SDNR also provides a buffer between the project site and the residential uses to the east and would remain after project implementation.

In addition, uses on the project site would be subject to City policies and other regulations pertaining to noise, hours of operation, building height, setbacks and lighting, among other areas, that would further reduce potential conflicts between the proposed uses and surrounding neighborhoods. Therefore, through conformance with the measures given in the Vision Plan, and consistency with applicable policies, development of the project site would not result in a conflict with off-site land uses.

5.11.3.3 *Existing Land Use Plans, Policies and Regulations*

City of Carlsbad General Plan

As previously described, the following General Plan land use designations currently apply to the Ponto Area: UA – Unplanned Area; TR/C – Travel/Recreation Commercial; RMH – Residential Medium High (8–15 dwelling units/acre); RMH/TR – a dual designation indicating that with further planning, one or both uses may be appropriate; and, OS – Open Space and Community Parks; refer to Figure 5.11-2.

The project would require a General Plan Amendment to designate the Vision Plan area as an area of “Special Planning Consideration” that will require proposed development within the project area to be developed under the guidance of the Ponto Beachfront Village Vision Plan; refer to Table 3-1. Submittal of a Site Plan would be required for future development, which would include review for conformance with the intent of the Ponto Beachfront Village Vision Plan. Future development proposals within the Ponto Area may be required to propose General Plan and Local Coastal Program land use reclassifications, and city-wide and Local Coastal Program zone changes that will be evaluated as part of the discretionary approval process. The Ponto Beachfront Village Vision Plan provides a guide for development of the area to ensure that future land uses are compatible and consistent with the intended vision for the site. As the proposed General Plan amendment would not result in a conflict with the existing General Plan land uses intended for the area, no significant land use impact would occur.

City of Carlsbad Zoning Ordinance

At present, there are three City zoning designations for the various parcels in the Ponto Area; refer to Figure 5.11-3. These designations include: PC – Planned Community; CT-Q – Commercial Tourist zone with Qualified Development Overlay; and, RD-M-Q – Residential Density – Multiple zone with Qualified Development Overlay. Several parcels have a dual designation, CT-Q/RD-M-Q, indicating that with further planning, one or both uses may be appropriate.

No changes to the existing zoning are proposed with the project. Commercial, recreational, and residential uses are currently permitted by the existing zoning for the site and private ownerships can be developed with or without the adoption of the Vision Plan. The uses proposed with the project would be consistent with the applicable zoning for each area. Therefore, the project would not conflict with the City Zoning Ordinance and impacts would be less than significant.

City of Carlsbad Growth Management Program / Zones 9 and 22 Local Facilities Management Plan (LFMP)

The Growth Management Program (GMP) and adopted performance standards allow the City to control future development, to estimate future demand for public facilities and services, and to plan and construct such facilities as needed. City-provided facilities and services include the circulation system (roads), parks, City administrative facilities, fire protection services, sewer facilities, and libraries, while agency-provided facilities and services include schools, wastewater treatment, and water service.

The Ponto Area is located within Zones 9 and 22 of the City’s Local Facilities Management Plans; refer to Figure 5.12-1. Future development proposals within the Ponto Area would be required to demonstrate consistency with the appropriate LFMP or propose amendments to the LFMP to ensure that facilities and services are adequately provided to serve the development.

The GMP provides a limit on the number of residential dwelling units that can be built within each of the City’s four designated quadrants to control future growth and the provision of public services and facilities. The GMP limits the number of residential building permits that can be issued throughout the city to a maximum of approximately 54,600 dwelling units at

buildout. The Vision Plan development area is within the Southwest Quadrant of the City, which allows for a total of 12,859 dwelling units at buildout. As previously mentioned, implementation of the Vision Plan would result in a lower number of units than that anticipated for the area, thereby reducing projected growth and the overall demand for public facilities and services. Therefore, the number of units envisioned for the project would be consistent with the GMP. Potential impacts as a result of land use impacts are considered less than significant.

Continued monitoring activities by the City would also ensure the continued consistency with the GMP through subdivision review, monthly residential and non-residential development monitoring reports, traffic monitoring, annual reporting to the City Council, buildout capital improvements project coordination, and monitoring the excess dwelling unit bank. Monitoring activities would allow the City to ensure that as development occurs, performance standards are maintained and the number of residential building permits issued is consistent with the GMP.

City Council Policy 43

Under Council Policy Statement 43, future development on individual ownerships within the Ponto Area may be eligible for withdrawals from the "Excess Dwelling Unit Bank." Qualifying projects may withdraw from the bank under specific circumstances. However, even if there are units available in the bank, development may not exceed the unit limit assigned to the quadrant. Therefore, future development may not exceed the growth management control point allowed on a particular property, unless another site has underutilized development and "excess" units are available for transfer.

Scenic Corridor Guidelines

All future development along the Carlsbad Boulevard Community Theme Corridor would be required to demonstrate consistency with the design policies set forth in the Scenic Corridor Guidelines and the Ponto Beachfront Village Vision Plan, as appropriate. The Vision Plan envisions the realignment of Carlsbad Boulevard to the east, creating additional available land to create a linear park. Guidelines are contained within the Vision Plan to regulate development along the corridor and to ensure that future development of the site maintains the scenic value and visual importance of the roadway along the project frontage; refer also to Section 5.7, Aesthetics and Visual Resources. Therefore, the Vision Plan would be consistent with the Scenic Corridor Guidelines and impacts would be less than significant.

City of Carlsbad Landscape Manual

All proposed future development within the project development area requiring discretionary permits or preparation of a Landscape Plan for a development permit is subject to the policies, programs, and requirements of the City's Landscape Manual. Future development will be required to demonstrate consistency with the Manual with regards to landscaping, irrigation, streetscape, slope revegetation or stabilization, wildfire prevention, and water conservation. Development of the project site would therefore not conflict with the provisions of the Landscape Manual, and impacts would be less than significant.

Comprehensive Land Use Plan (CLUP) for McClellan-Palomar Airport

The project site is located approximately 2.5 miles southwest of the McClellan-Palomar Airport. The northern portion of the project development area lies within the Noise Impact

Notification Area (NINA); however, noise within the NINA is not considered to create an adverse affect on human health or safety. All residential development proposed within the NINA would be required to file a notice with the City indicating that the property is subject to noise from overflight, sight, and noise from operation of aircraft operating from the airport. Therefore, the project would not conflict with the Airport Land Use Plan and impacts would be less than significant.

Open Space Conservation and Resource Management Plan

Development of the project site would be consistent with the goals of the Open Space Conservation and Resource Management Plan. The LFMPs for Zones 9 and 22 indicate that open space within the two Zones will continue to meet the performance standard through buildout.

Future development would be required to prepare development plans consistent with the Ponto Beachfront Village Vision Plan, which includes design elements that support the goals of the Open Space Conservation and Resource Management Plan for Zones 9 and 22. Such elements include a variety of trails and pathways, a Beachfront Resort multi-purpose trail, a wetland interpretive trail, pedestrian trails with connection to a regional trail system, and a connection to the Coastal Rail Trail which runs to the east of the project site.

Consistent with the goals of the Open Space Conservation and Resource Management Plan, the Vision Plan calls for the enhancement of the entry gateway into the City from the south along Carlsbad Boulevard. Design guidelines are given in the Vision Plan for signage, landscaping, and monument design to identify and improve the natural gateway. Therefore, the project would be consistent with the Open Space Conservation Plan and impacts would be less than significant.

City of Carlsbad Habitat Management Plan (HMP)

Impacts to habitats of sensitive animal species with project implementation would be fully mitigated pursuant to the City's HMP. Mitigation for direct impacts to vegetation communities within the project site shall be implemented prior to or concurrent with impacts. Indirect impacts shall be avoided or mitigated through implementation prior to or immediately following the adverse effect. Mitigation ratios for impacts would be consistent with those given in the City's HMP.

Impacts to southern coastal bluff scrub shall be mitigated through off-site acquisition, as defined in the City's HMP, within the City's proposed preserve system. Consistent with the Addendum to the City's HMP, in-lieu mitigation fees would be required for on-site impacts to unoccupied Diegan coastal sage scrub, chaparral, grassland, eucalyptus woodland, and disturbed habitat. Individual landowners would be responsible for the payment of a per acre in lieu mitigation fee in an amount as determined by the City Council, prior to the issuance of a building permit. As such, the project would be consistent with the City's HMP requirements and impacts would be less than significant. Refer also to Section 5.2 of this EIR for additional discussion of how the Vision Plan is consistent with the City's HMP.

California Coastal Act

Implementation of the Vision Plan would be consistent with the requirements of the California Coastal Act, as implemented by the City of Carlsbad Local Coastal Program and

discussed below. Therefore, no conflicts with the CCA would result, and impacts would be less than significant.

Local Coastal Program

The Ponto Area falls within the Coastal Zone. The Ponto Area includes acreage located within the Mello II Segment Land Use Plan and the area of the west Batiquitos Lagoon. Local Coastal Program Segments are required to maintain consistency with the City of Carlsbad's General Plan. Approval of a Coastal Development Permit would be required prior to development for all individual properties within the Ponto Area.

Implementation of the Ponto Beachfront Village Vision Plan would require approval of an amendment to the LCP by the California Coastal Commission to ensure that the LCP is consistent with the City's General Plan and the Coastal Act.

The following features of the Ponto Beachfront Village Vision Plan support the LCP approved for the area:

- Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with the rights of private property owners.
- Visitor-serving uses (hotel/motel and restaurant) should be established.
- Mixed-use development (residential and recreational, commercial) shall be permitted by right on properties fronting on Carlsbad Blvd across from South Carlsbad State Beach.
- The existing access points of the day use portion of South Carlsbad State Beach shall be improved as part of a State Parks and Recreation Master Plan for Carlsbad State Beaches.
- In the "Unplanned Area" of Ponto, which roughly corresponds to the vacant land area north of Avenida Encinas, specific planning efforts are required. The intent is not to limit uses to entirely non-residential. Future uses could include commercial, residential, office and others. Consider the need for lower cost visitor or recreation facilities on the west side of the railroad tracks.
- In the area south of Avenida Encinas, hotel and timeshare units are allowed, with other uses primarily directed toward the tourists visiting the hotels, conference center and local scenic and recreation areas.
- On the southern bluff edge overlooking Batiquitos Lagoon, bluff top accessways or equivalent, overlook areas and a bike/pedestrian path should be provided. Land has been conveyed to the State Lands Commission as part of the Batiquitos Lagoon Enhancement Plan (BLEP), and any activities must be consistent with BLEP.

Therefore, the Vision Plan is considered to be consistent with the goals and policies of the LCP. Impacts would be less than significant.

San Diego Association of Governments (SANDAG) and Smart Growth Communities

As stated earlier, according to SANDAG, a smart growth community would represent a compact and environmentally sensitive pattern of development that provides people with additional travel, housing, and employment options by focusing future growth to existing and

planned job centers. Smart growth areas include reducing sprawl, encouraging using public transportation and walking, and providing jobs/housing balance.

As stated earlier, as part of the RCP, SANDAG has prepared a Draft Smart Growth Concept Map, which contains almost 200 existing, planned, or potential smart growth locations. The Ponto Area has been included as part of SANDAG's Smart Growth Concept Map. The Regional Comprehensive Plan prepared by SANDAG provides incentives to encourage focusing growth in existing and future urban areas and smart growth communities. Therefore, future development on the Ponto Area would reflect the basic concepts of the smart growth program and would be consistent with anticipated growth and design measures identified for smart growth areas within the San Diego region. Impacts would be less than significant.

South Carlsbad Coastal Redevelopment Area

A portion of the Ponto Area is located within the South Carlsbad Coastal Redevelopment Area (SCCRA). This portion of the site is therefore subject to the Redevelopment Permit process, which is administered by the City of Carlsbad's Housing and Redevelopment Department; refer to Figure 3-3. Future development proposals on the Ponto Area would be required to demonstrate consistency with the redevelopment plans established for the portion of the property within the redevelopment area. Development of the project area would improve the City's economic base, enhance commercial and recreational functions, increase public amenities, and ensure quality overall design of the site. Therefore, the project would be consistent with the Redevelopment Plan and impacts would be less than significant.

San Diego Coastal State Park System General Plan – South Carlsbad State Beach

The 1984 San Diego Coastal State Park System General Plan assumes that (1) the area around the South Carlsbad State Beach will become increasingly urban, and (2) Carlsbad Boulevard will act as a present and future buffer against urbanized land uses. The State Plan indicates that "The purpose of San Diego coast state beaches is to make available to the people, for their benefit and enjoyment forever, the scenic and recreational resources inherent to the coastal beaches and adjacent uplands of San Diego County." The goals of the Ponto Vision Plan would be consistent with the intent of the General Plan in the provision of recreational amenities and improvements to complement use of the State Beach.

The 1984 San Diego Coastal State Park System General Plan, which addresses the South Carlsbad State Beach, was reviewed to determine where the Vision Plan could support the State Park General Plan. The following points from the State Park General Plan are compatible with the goals and design components of the Ponto Vision Plan:

- "The purpose of San Diego coast state beaches is to make available to the people, for their benefit and enjoyment forever, the scenic and recreational resources inherent to the coastal beaches and adjacent uplands of San Diego County."
- "Regarding allowable use intensity, the higher elevation Terrace lands, are capable of high-intensity public use and development with appropriate setbacks...Innovative approaches, such as portable buildings and controlled pedestrian accessways, will be used to provide recreation opportunities."
- Accepted assumptions for working toward solutions of the Park's identified problems include:

1. Future extension of Poinsettia Lane to Carlsbad Boulevard (work has been completed.)
2. Area around SCSB will become increasingly urban.
3. Carlsbad Boulevard acts as a present and future buffer against urbanized land uses.

Proposed development of the Ponto Area would provide amenities such as additional parking for the State Beach and an underpass under Carlsbad Boulevard to improve access to the State Beach and enhance recreational uses. Therefore, the Vision Plan would not result in conflict with the State Beach General Plan and impacts would be less than significant.

Other Specific Plans / Master Plans

Poinsettia Properties Specific Plan (SP 210)

The Poinsettia Properties Specific Plan directs development of a 92-acre transit-oriented residential community located primarily north of the Ponto Area; however, a 1.5-acre portion of the Ponto Area overlaps with the Specific Plan area, referred to as Planning Area 1 in the Specific Plan. It is located in the northwest corner of the Ponto Area, adjacent to Carlsbad Boulevard and Ponto Road. Per the Specific Plan, the land use for the 1.5-acre area is intended for commercial uses that serve the traveling public and beach visitors. No conflicts with the Specific Plan have been identified as a result of the proposed General Plan and Local Coastal Program amendments or with the goals of the Vision Plan. Future development proposals would be required to demonstrate consistency with the Poinsettia Properties Specific Plan or amend the Specific Plan to remove the property. Therefore, as future development within the project development area would not conflict with this Specific Plan, impacts would be less than significant.

Poinsettia Shores Master Plan

A portion of the Vision Plan area is within the boundaries of the Poinsettia Shores Master Plan (MP 175(c)). This master plan governs a total of approximately 162.8 acres of which approximately 23.5 acres are located within the Vision Plan area. Of 17 planning areas included in the Master Plan, three are located within the Vision Plan boundaries: areas F, G, and H. These areas feature travel service/commercial use and a non-residential reserve. No conflicts with the Master Plan have been identified as a result of the proposed General Plan and Local Coastal Program amendments or the goals of the Vision Plan. Future development proposals would be required to demonstrate consistency with the Poinsettia Shores Master Plan or amend the Master Plan to remove the properties. Therefore, as future development within the project development area would not conflict with this Specific Plan, impacts would be less than significant.

5.11.5 Mitigation Measures

No mitigation measures are required, as no significant land use impacts have been identified as a result of the proposed project.

5.11.6 Impact After Mitigation

No significant land use impacts would occur with the proposed project.

**Figure 5.11-1
Surrounding Land Uses**

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**Figure 5.11-2
Existing General Plan Land Use**

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**Figure 5.11-3
Existing City Zoning**

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